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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,301	09/12/2001	Jagmohan S Rai	36-1508	3633

23117 7590 05/03/2005

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EXAMINER

PATEL, CHIRAG R

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,301

Applicant(s)

RAI ET AL.

Examiner

Chirag R. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Claim Objections

Claim 6 is objected to because of the following informalities: Module user is misspelled and is interpreted by the examiner to mean "mobile user". Appropriate correction is required.

Claim Rejections - 35 USC § 102(b)

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-8, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Xylomenos (Communications Magazine, IEEE, IP multicast for mobile hosts, Jan 1997, Volume 35, Issue: 1).

As per claim 1, Xylomenos G. discloses a method of routing communications data to a mobile user located in one of a plurality of data networks by a router, (Page 54, 1st Paragraph under section IP Mobility,) the router having a data store provided with data relating to characteristics of the networks and the associations between the networks, (Page 55, lines 8-9 under section IP Mobility) The tables serves as the data store for storing characteristics and association of the networks.

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the method comprising :

receiving mobile user location information relating to the identity of the data network to which the mobile user is currently connected; (Page 55, Section IP Mobility, lines 1-4)

receiving communications data to be sent to the mobile user; (Page 55, Section IP Mobility, lines 6-8)

retrieving from the store the associated characteristics of the data network to which the mobile user is currently connected, and the associations between that network and other networks, (Page 55, lines 8-9, section IP Mobility)

adapting the communications data so as to be compatible with the retrieved characteristics, and (Page 55, lines 9-10, section IP Mobility)

sending the adapted communications data to the mobile user. (Page 55, lines 11-12, section IP Mobility)

As per claim 2, Xylomenos G. discloses a method as in claim 1 wherein the router is a home agent attached to a home network. (Page 55, lines 6-7 3rd Paragraph under section IP Mobility)

As per claim 3, Xylomenos G. discloses a method as in claim 1 wherein the communication data comprises text data. (Page 54, Col 2 lines 4) Sending text data is inherent because the internet architecture allows for sending text data.

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As per claim 4, Xylomenos G. discloses a method as in claim 1 wherein the adapted communications data comprises voice data. (Page 54, Col 2 lines 4) Sending voice data is inherent because the internet architecture allows for sending voice data.

As per claim 6, Xylomenos G. discloses a method as in claim 1 wherein the adapted communications data is received by an intermediary router and re-routed to the module user. (Page 55, lines 8-12, section IP Mobility)

As per claim 7, Xylomenos G. discloses a method as in claim 6 wherein the mobile user and the intermediary router are attached to the same one of the plurality of data networks. (Page 54 , 2nd Paragraph under section IP Mobility)

As per claims 8, 10, and 11, please see discussion under claim 1 as they are directed to the same subject matter.

Claim Rejections - 35 USC § 102(e)

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Leung (US 6,487,605).

As per claim 1, Leung discloses a method of routing communications data to a mobile user located in one of a plurality of data networks by a router, (Col 6 line 56, Figure 2A) the router having a data store provided with data relating to characteristics of the networks and the associations between the networks, (Col 9 lines 55-57, Col 11 lines 39-47, Figure 3 item 361) the method comprising:

receiving mobile user location information relating to the identity of the data network to which the mobile user is currently connected; (Col 10 lines 43-46)

receiving communications data to be sent to the mobile user; (Col 2 lines 34-40)

retrieving from the store the associated characteristics of the data network to which the mobile user is currently connected, and the associations between that network and other networks, (Col 2 line 40-42, Col 11 lines 39-43)

adapting the communications data so as to be compatible with the retrieved characteristics, and (Col 2 lines 43-47)

sending the adapted communications data to the mobile user. (Col 2 lines 48-50)

As per claim 2, Leung discloses a method as in claim 1 wherein the router is a home agent attached to a home network. (Col 1 lines 64-65, Figure 1A item 8)

As per claim 3, Leung discloses a method as in claim 1 wherein the communication data comprises text data. (Col 7 lines 15-17) Sending text data is inherent because the internet architecture allows for sending text data.

As per claim 4, Leung discloses a method as in claim 1 wherein the adapted communications data comprises voice data. (Col 7 lines 15-17) Sending voice data is inherent because the internet architecture allows for sending voice data.

As per claim 5, Leung discloses a method as in claim 1 wherein the adaption of the communications data comprises summarizing the communication data. (Col 9 lines 50-55, Col 7 lines 8-14, Figure 3 item 363) Summarizing the communication data is inherent because the RISC chips allow the summarizing the communication data that is transmitted to the mobile user.

As per claim 6, Leung discloses a method as in claim 1 wherein the adapted communications data is received by an intermediary router and re-routed to the module user. (Col 2 lines 40-52) The intermediary router in this case is the Foreign agent in which the mobile user is currently connected to.

As per claim 7, Leung discloses a method as in claim 6 wherein the mobile

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user and the intermediary router are attached to the same one of the plurality of data networks. (Col 1 lines 62-67, Col 2 lines 1-3, Col 2 lines 48-50, Figure 1A, 1B, 2A & 2B item 6)

As per claim 9, Leung discloses a digital storage medium containing:
computer program as in claim 8 wherein the computer program has been downloaded from a server and stored in digital storage media. (Col 7 lines 8-10, Col 9 lines 55-57, Figure 3 item 361)

As per claims 8, 10, and 11, please see discussion under claim 1 as they are directed to the same subject matter.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Leung (US 6,636,498) discloses a mobile ip mobile router. Perkins (RFC – IP Mobility Support, Request for Comments: 2002, IBM, Network Working Group) discloses transparent routing of IP datagrams to mobile nodes in the Internet. Xylomenos G. (IP multicasting for wireless mobile hosts, Military Communications Conference, 1996, Milcom '96, IEEE, 21-24 Oct 1996) discloses efficient multicast support for mobile wireless hosts in TCP/IP networks. Vilander et al. (US 6,804,720) discloses mobile internet access. Borella et al. (US 6,816,912) discloses an optimized call setup for mobile node tunnel. Magret et al. (US 6,804,221) discloses micromobility using multicast. Ton (US 6,771,623) discloses a method for ensuring mobile IP service. Bender (US, 6,366,561) discloses providing mobility within a network. Liu (US 5,825,759) discloses distributing network services and resources to mobile networks. Tsao et al. (US 6,862,274) discloses a method and system capable of providing mobility support for IPv4/IPv6 inter-networking.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag R. Patel whose telephone number is (571)272-7966. The examiner can normally be reached on Monday to Friday from 7:30AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER